

HISTORIC DISTRICT COMMISSION

Meeting Minutes

January 9, 2012

CALL TO ORDER:

Mr. Mike Troutman, Chairperson called the meeting to order at 4:00 p.m.

ROLL CALL:

Members Present: Dan Buscher Kurt Thornton
Heather Lane-Fowler Mike Troutman
Doug Sofia
Susan Baldwin (City Commission Liaison)

Members Absent: Glen Harris

Staff Present: Eileen Wicklund, City Attorney
Glenn Perian, Senior Planner
Leona Parrish, Admin. Assistant

ADDITIONS / DELETIONS TO AGENDA: None

APPROVAL OF PREVIOUS MINUTES:

MOTION WAS MADE BY MR. KURT THORNTON TO APPROVE THE MINUTES FROM NOVEMBER 14, 2011 MEETING AS PRESENTED; SECONDED BY MR. DAN BUSCHER.

ALL IN FAVOR, NONE OPPOSED MOTION; MOTION CARRIED.

CORRESPONDENCE: A copy of the Historic District Commission “Minor Classes of Work” document, noting properties that have been approved by Planning Staff was handed out for the commissioner’s records.

OLD BUSINESS: None

NEW BUSINESS:

A) 291 N. Washington Avenue (Request to Demolish Structure)

Ms. Krista Trout-Edwards, Calhoun County Land Bank, 315 W. Green Street, Marshall MI, came forward to speak; stated they are here today to pursue the demolition of this property as part of the NSP2 program which is a neighborhood stabilization program. Stated what the County Land Bank does as part of the neighborhood stabilization is they acquire properties for either rehabilitation or demolition and also run the demolition program and have demolished over 100 properties this year that are blighted and in the land bank inventory or ones acquired because of a goal of making it a side lot. Noted the property in question had been in the Land Bank inventory since 2010 and needed to decide to renovate or demolish this structure, so they contacted Mr. Kim Tuck who works as the construction coordinator as part of the City’s NSP2 to have him evaluate the property.

Said they compared the value of the property and the cost for repairs as well as what the cost would be for demolition and had come to the conclusion that it made more sense to demolish the property based on the large cost for rehabilitation. Ms. Trout-Edwards stated they are in agreement with the staff report as it has been determined to be a hazard to the community and would put an undue financial hardship on the Land Bank for the rehabilitation or even to just maintain; therefore they are here today asking to be allowed to demolish the structure.

Mr. Doug Sofia asked if it were demolished would the vacant lot then be held in the Land Bank. Ms. Krista Trout-Edwards stated it would be offered to the adjacent property owners to purchase for approximately \$100 or \$200 dollars as a side lot.

Ms. Heather Lane-Fowler asked if the cost for demolition was \$11,000 dollars. Ms. Krista Trout-Edwards stated yes, that cost was based on a bid for the demolition and had not done the asbestos portion as yet, but usually is approximately \$2,000 dollars and had been added in the amount for everything rolled up as stated in their application.

Ms. Lane-Fowler asked what the cost was for the rehabilitation. Ms. Trout-Edwards stated the cost was \$159,593 dollars; noted the itemized cost for the rehab was included in the application packet submitted and that if rehabilitated they would have the additional environmental cost for the lead removal, as it would not be required if demolished.

MOTION WAS MADE BY MR. KURT THORNTON TO APPROVE THE NOTICE TO PROCEED FOR THE DEMOLITION OF STRUCTURE LOCATED AT 291 N. WASHINGTON AVENUE, AS IT MEETS STANDARDS #1 AND #3 OUTLINED IN CHAPTER 1470.09 (e); SECONDED BY MR. DAN BUSCHER.

ALL IN FAVOR, NONE OPPOSED MOTION; MOTION CARRIED.

B) Election of Officers:

Mr. Mike Troutman opened the floor for nominations:

Mr. Dan Buscher nominated Mr. Mike Troutman as Chairperson.

Mr. Kurt Thornton nominated Mr. Dan Buscher as Vice-Chairperson.

Seeing no other nominations; nominations are closed.

ROLL VOTE TAKEN FOR MIKE TROUTMAN AS CHAIRPERSON: ALL IN FAVOR; NONE OPPOSED.

ROLL VOTE TAKEN FOR DAN BUSCHER AS VICE-CHAIRPERSON: ALL IN FAVOR; NONE OPPOSED.

PUBLIC COMMENTS:

Opportunity for Public Comment regarding the demolition of the following properties noted on the meeting agendas requested by the Calhoun County Land Bank:

- a) 169 Calhoun St. - *(Not in a Historic District)*

- b) 193 Calhoun St.** - *(Not in a Historic District)*
- c) 231/233 Calhoun St.** - *(Not in a Historic District)*
- d) 242 Calhoun St.** - *(Not in a Historic District)*
- e) 86 Frelinghuysen** - *(In Historic District: HDC Approved for demolition on 10/10/11)*

Ms. Krista Trout-Edwards, Calhoun County Land Bank came forward to speak stating there was a new process requested from State Historic Preservation Office "SHPO"; as part of the NSP2 process they wanted to demolish the 5 properties noted above and this request was sent to SHPO which had declared this area to be an area of historic significance. Because of the new declaration they are required to provide opportunity for input from the neighboring properties regarding the properties being demolished. Stated they sent a letter to everyone within the block face, as well as across the street, those adjacent to the rear and on the corners to inform them they may either attend this meeting or contact them directly through-out the month of January to provide their input. Stated they had only received four phone calls and one letter of which none were opposed to the demolition; they had only had questions regarding what would happen to the vacant land after the structure was demolished. Ms. Krista Trout-Edwards explained to them to sell as a side lot or if they cannot side lot the property, the Land Bank would maintain it and possibly look for a non-profit for maybe an urban garden opportunity. Ms. Trout-Edwards noted that after the public comment was received they would put it into a packet and send it to an Advisory Council in Washington where they would decide if they want to develop a mitigation plan with them and Michigan SHPO for a three way conversation; if they choose not to do it, then it would be between the Land Bank, City of Battle Creek and the Michigan SHPO about how to mitigate the demolition of these properties and are not sure what would be required at this point.

Mr. David Nielson, NPC #4 member came forward to speak, stated they have been asking to have their neighborhood enhanced for many years; as an individual he totally supports this effort and also as a property owner in the area. Said he cannot speak on behalf of the Neighborhood Planning Council, but feel they would also be in support as well.

Mr. Mark Jones, 46 East Avenue, N, Battle Creek, MI, came forward to speak; stated he is the new NPC #4 Chairperson and stated as chairman it has been a goal of theirs for many years to reduce their density for quite some time and this does that; noted they have many nice homes on the north-side, but they are very close together and he is not in favor of just demolishing any old house and does want to keep their very valuable houses. Noted that by demolishing these properties it would allow for the existing homes to have larger lots and would improve the neighborhood. Said that the NPC #4 had not had the opportunity to officially meet regarding the demolition of these properties, but that it is an essence of what they are trying to create.

Mr. Dan Buscher asked if any of these properties are set to be on the agenda for NPC #4 for a formal discussion. Mr. Jones stated they had not at this point and would have them put onto the agenda to be discussed at their next monthly meeting which is the 3rd Wednesday of this month; said two of these properties in the past have came up as property concerns.

Ms. Heather Lane Fowler stated she had driven by these homes and some were really bad, but was surprised at the cost noted for the rehab as they had not appeared that bad from the outside.

Mayor Baldwin asked regarding SHPO having just decided to declare a certain set of blocks to be historic; how can this be addressed as she does not feel it is appropriate when there has not been any official designation that they are historic areas. Asked what she can do to proceed with an appeal.

Ms. Susan Bedsole, City of Battle Creek, License and Compliance Director, stated the Mayor may come to their weekly meeting every Thursday and it is their understanding that SHPO has its designation from Federal Law. Said the problems first occurred was; there were specific designated areas that are on the map as Historic Districts that have been determined, and the second area is where SHPO says it meets the definition of being a district but has never been declared one. Ms. Bedsole said in her opinion it has become a political issue and for them to have movement on that; it is going to take some change at the State level as they are not able to get any movement and now has shifted even further where now its adverse effect - go to Washington. Stated it comes from NSP2 dollars being more scrutinized and Washington has put a lot more requirements on NSP2 than there had been for NSP1.

Mr. Dan Buscher stated that Ms. Trout-Edwards noted that the SHPO requirements are fairly new and would it be possible to get a copy of these new regulations or statues emailed to them and also are they aware of any challenges either state or federally to these new SHPO designations.

Ms. Susan Bedsole stated she would not agree that everything is new; it is just new to us and that the laws have been in place for a long time but not enforced and that once the State makes their initial determination then it has to go to Washington as they make the decision on if they want to be involved. Said if they chose be involved, it can be with the three of them and the reason the Feds are involved is because NSP2 is a Federal Grant from HUD.

Mayor Baldwin asked how it had been decided to expand the historic area of homes that require approval. Ms. Bedsole stated SHPO made that decision. Stated it has been much more difficult and challenging trying to get properties through the NSP2 process in the target area because of the guidelines that are set.

COMMENTS FROM COMMISSION MEMBERS AND STAFF:

Mr. Kurt Thornton thanked Mr. Mike Troutman and Mr. Dan Buscher for accepting the positions of Chairperson and Vice-Chair.

Ms. Heather Lane-Fowler asked the status of the property at 136 Fremont Street that was damaged by fire many years ago. Stated that Ms. Eileen Wicklund at the last meeting stated she would follow-up regarding this property and provide information.

Ms. Bedsole noted that they had been in court with the owners and had a representative present that had no authority and have decided to dismiss the ticket and have this property on the schedule for next group to have demolished, possibly in February. Noted this house in particular had been through the entire process and has been open to the elements and continues to degrade every day and cannot get any responsibility from the owner. Stated it is too large of a project for any of the other types of funds that might be available and has been declared a dangerous building and meets the criteria to go on the list to be bid out for demolition along with 114 Harvard, and 92 Groveland which are owned by the County and they will then come back to the city and become a part of the neighboring park.

ADJOURNMENT:

Mr. Mike Troutman, Chairperson adjourned meeting at 4:36 P.M.

Submitted by: Leona A. Parrish, Administrative Assistant, Planning Department